



# Austin City Council MINUTES

NOVEMBER 30, 1995

Mayor Todd called the meeting to order, noting the absence of Councilmember Nofziger.

1. Approval of Minutes for Special Called Meeting of November 15 and Regular Meeting for November 16, 1995.  
Postponed to December 7, 1995

## CITIZEN COMMUNICATIONS: CONSENT AGENDA

2. Mr. Dick Kallerman, to discuss mass transit.  
**Absent**
3. Mr. Arvid Youngquist, to discuss respecting different points of view.
4. Mr. Gus Pena, to discuss public safety, youth activities, and revitalizing the economy in East Austin.  
**Absent**
5. Mr. Leonard Lyons, to discuss business style of process vs. City style.  
**Absent**
6. Kirk Becker, to suggest improvements to City's Central City Entertainment Center.

## ITEMS CONTINUED FROM PREVIOUS MEETINGS

7. Approve third reading of Encampment Ordinance. (Mayor Bruce Todd and Ronney Reynolds)  
**Postponed**
8. Approve the selection of an underwriting team (9 firms), including four (4) national firms, two (2) regional firms, one (1) non-certified M/WBE, and two (2) certified M/WBE to provide underwriting services for the negotiated/refunding transactions over the next two (2) years. (Payment for underwriting services will be made from proceeds of each bond sale)  
**Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Nofziger absent.**
9. Approve adding Chapter 15-9 to the City Code of the City of Austin, providing for the promotion and protection of trees on public property. (Mayor Pro Tem Gus Garcia and Councilmember Michael "Max" Nofziger)

Postponed to January 18, 1996

10. Amend Section 2-9-29 of the Austin Fair Campaign Ordinance to limit campaign contributions to candidates and political action committees involved in City Council elections from persons, firms and groups who either are required to register under the City's Lobbying Ordinance, or are compensated for lobbying. (No fiscal impact.) [Recommended by Ethics Commission]  
**Postponed indefinitely**

## ORDINANCES

11. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 1015 East 10th Street, Case No. C14-94-0110, from "SF-3", Family Residence to "MF-2-CO", Multifamily Residence (low density)-Conditional Overlay, zoning subject to: (1) limit development to permitted SF-3 uses and retirement housing, and (2) limit height to 25 feet or one story, whichever is less; EBENEZER BAPTIST CHURCH (Rev. Marvin C. Griffin), by Mathias Co. (Richard Mathias). First reading on October 20, 1994; Vote 5-0, Nofziger absent, Mitchell out of the room. Conditions met as follows: conditional overlay incorporates conditions as imposed by Council. Note: The recommended condition to dedicate up to 45 feet of right-of-way from the centerline of Spicewood Springs Road has been deleted based on previously executed Street deed that satisfies this requirement.  
**Ordinance No. 951130-A approved**
12. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as Spicewood Springs Rd. & Four Iron Dr., Case No. C14-95-0003, from "SF-2", Single Family Residence (standard lot) to "SF-6", Townhouse and Condominium Residence zoning, subject to the dedication of 60 feet of right-of-way from the existing centerline of Spicewood Springs Road. Further subject to: (1) provide a 35 foot building setback along Spicewood Springs Road; (2) provide a 40 foot buffer extending from Spicewood Springs Road to Four Iron Drive; A.G. SPANOS CONSTRUCTION CORP. (Barry Ruhl), by Gillingwater Properties (Barry Gillingwater). First reading on August 24, 1995; Vote 6-0, Todd absent. Conditions met as follows: Restrictive covenant incorporates conditions imposed by Council. Street deed has been executed. NOTE: The recommended condition to dedicate up to 45 feet of right-of-way from the centerline of Spicewood Springs Road has been deleted based on previously executed Street deed that satisfies this requirement.  
**Ordinance No. 951130-B approved**
13. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 12101 to 12127 Park Bend Drive and 2209 to 2317 Cedar Bend Drive, Case No. C14-94-171, from "MF-2", Multifamily Residence to "GO-CO", General Office-Conditional Overlay and "RR", Rural Residence, the provisions of the overlay will limit development to a density that will generate less than 1,500 vehicle trips-per-day to the site; prohibit access to Cedar Bend Drive; subject to a 25' landscape buffer between GO-CO zoning and residential zoning; and development will be restricted to LO development regulations in triangular, northeast corner that is east of the existing drainage easement; AUSTIN DIAGNOSTIC CLINIC (Jon P. Sligh), by Bury & Pittman (Gregory S. Strmiska). First reading on June 1, 1995; Vote 6-0, Todd off the dais. Conditions met as follows: conditional overlay incorporates conditions imposed by Council.  
**Ordinance No. 951130-C approved**

Items 11 through 13 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Nofziger absent.

14. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 2218 to 2605 Park Bend Drive, Case No. C14-94-0172, from "MF-2", Multifamily Residence (low density) and "GO", General Office to "LO-CO", Limited Office-Conditional Overlay, "MF-2", Multifamily Residence (low density) for approximately 14.47 acres and maintain the existing "GO", General Office; the provisions of the overlay are as follows: (1) limit the impervious cover for the GR and GO tracts to 80%; (2) limit the impervious cover for the LO tract to 70%; (3) limit the total impervious cover for the entirety of the GO tract to 80%; and (4) establish a 100 foot buffer adjacent to the southern property line which abuts the parkland adjacent to Walnut Creek; a maximum of 50% of the area within this buffer zone may be constructed as impervious cover; AUSTIN DIAGNOSTIC CLINIC (Jon P. Sligh), by Bury & Pittman (Gregory S. Strmiska). First reading on June 1, 1995; Vote 4-3, Todd, Mitchell and Reynolds voting "No". Conditions met as follows: conditional overlay incorporates conditions imposed by Council.  
**Ordinance No. 951130-R approved, with motion made by Councilmember Goodman to: limit the impervious cover for the GR & GO tract to 80% and to limit the impervious cover from the LO tract to 70%, Councilmember Mitchell's second, 5-0 vote, Councilmember Shea off the dais, Councilmember Nofziger absent.**
15. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 2410 Cedar Bend Drive, Case No. C14-94-0173, from "LO", Limited Office to "LR-CO", Neighborhood Commercial-Conditional Overlay, zoning with the provisions of the overlay to prohibit access to Tomanet Trail; limit development to a density that will generate less than 870 vehicle trips-per-day; and subject to a 25' landscape and screening buffer between LR-CO and any residential zoning; AUSTIN DIAGNOSTIC CLINIC (Jon P. Sligh), by Bury & Pittman (Gregory S. Strmiska). First reading on June 1, 1995; Vote 7-0. Conditions met as follows: conditional overlay incorporates conditions imposed by Council.  
**Ordinance No. 951130-D approved**
16. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 12201 to 12301 Tomanet Trail and 2312-2404 Cedar Bend Drive, Case No. C14-94-0174, from "SF-3", Family Residence to "LO-CO", Limited Office-Conditional Overlay, with the provisions of the overlay to limit development to NO, Neighborhood Office site development requirements; AUSTIN DIAGNOSTIC CLINIC (Jon P. Sligh), by Bury & Pittman (Gregory S. Strmiska). First reading on June 1, 1995; Vote 5-0-2, Reynolds and Mitchell abstaining. Conditions met as follows: conditional overlay incorporates conditions imposed by Council.  
**Ordinance No. 951130-E approved**
17. Approve changing the street name of the entire length of GAINES PARK LOOP, to GAINES RANCH LOOP (from the intersection of Gaines Park Loop and Mo-Pac Expressway South, looping westerly, southerly and back to the southern intersection of Gaines Park Loop and Mo-Pac Expressway South). [Processing and street sign fees to be paid by the requester.]  
**Ordinance No. 951130-F approved**

18. Amend Chapter 11-1, Section 10-1-16 and Section 16-5-16 to establish rules and regulations on the preserve lands of the Balcones Canyonlands and other lands under the administrative supervision of Parks and Recreation Department, and authorize enforcement by Parks personnel. (No fiscal impact.) [Recommended by Parks Board]  
**Ordinance No. 951130-G approved**
19. Authorize acceptance of \$200,000 in grant funds from the Texas Department of Protective and Regulatory Services, for the "Texas Families Together and Safe" program; amend Ordinance 950911-A, the 1995-96 operating budget, amending the Special Revenue Fund by appropriating \$200,000 in grant funds for the Health and Human Services Department Special Revenue Fund; and authorize one (1) Full-time Equivalent (FTE) grant funded position.  
**Ordinance No. 951130-H approved**
20. Authorize acceptance of \$37,500 in grant funds from the Office of the Governor, Criminal Justice Division, for the "Neighborhood Conference Committee" program; amend Ordinance 950911-A, the 1995-96 operating budget, amending the Special Revenue Fund by appropriating \$37,500 in grant funds for the Health and Human Services Special Revenue Fund.  
**Ordinance No. 951130-I approved**
21. Approve assessment rate and proposed 1996 assessment roll for the Austin Public Improvement District (PID), and set a public hearing to consider proposed assessments. (The 1996 assessment rate of \$0.10/\$100 valuation is estimated to produce \$625,460 at a 95% collection rate.) [Suggested date and time: December 14, 1995 at 4:15 P.M.] **(Related to Item 22)**  
**Ordinance No. 951130-J approved**

## RESOLUTIONS

22. Approve the Austin Downtown Public Improvement District (PID) Service Plan and Budget for 1996-97. (The Downtown Austin Alliance submitted a 1996-97 budget for the Public Improvement District (PID) in the amount of \$801,588. This will be funded through \$625,460 in 1996 Assessments (at 95% collection rate); \$33,768 from interest accrued in the PID account; \$316 from delinquent account interest; \$17,044 from prior year unappropriated collections; \$100,000 City of Austin Annual Contribution; and \$25,000 Capital Metro Annual Contribution. Appropriation of the \$801,588 in the Planning and Development Special Revenue Fund will require City Council authorization, and possible adjustment, after the assessment roll hearing on December 14, 1995.) **[Related to Item 21]**  
**Approved**
23. Authorize negotiation and execution of an Interlocal Agreement with Travis County to fund and administer social services contracts for period January 1 1996 through December 31, 1996. (Recommended by Community Action Network)  
**Approved**
24. Approve a five (5) year lease of 6,800 square feet of office/warehouse space located at 4122 Todd Lane for use by the Health and Human Services Department, Vector Control Program, in the amount of \$36,720 for the 1st year, \$38,352 for the 2nd year, \$39,984 for the 3rd year, \$43,248 for the 4th year, and \$44,880 for the 5th year with one (1) five (5) year extension option. (Funding in the amount of \$10,125 is available from Travis County. Funding in the amount of \$20,475 is available in

the operating budget of the Health and Human Services Department.)

**Approved**

25. Amend the Personnel Policies to add new sections on harassment, employee conduct, weapons, and reporting violations, and to revise the provisions regarding safety, dismissal and stability pay.

**Approved**

**Aviation (Items 26-31)**

26. Approve Supplemental Amendment #4 with JASTER-QUINTANILLA & ASSOCIATES, INC., (DBE/MH) Austin, Texas, for design modifications and construction phase services to the professional services agreement for a Terminal Access Road Design at the New Austin Airport, in an amount not to exceed \$400,000, for a total amount not to exceed \$3,000,000. (Funding was included in the 1995-96 Capital budget of the Aviation Department. All costs associated with this project are eligible for future FAA grant reimbursement at 75% of eligible cost.) DBE Participation: 100% (51% MBE, 5% WBE)

**Approved**

**Items 15 through 26 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Nofziger absent.**

27. Approve a construction contract to H.B. ZACHRY, San Antonio, Texas, for the construction of the Air Cargo Apron and Road project for the Austin-Bergstrom International Airport, in the amount of \$4,656,335, plus a contingency fund of \$465,650 for change orders. (Funding was included in the 1995-96 approved Capital budget of the Aviation Department.) Low bid of three (3). DBE Subcontractor participation 32.82%: 15.40% MBE, 17.42% WBE. (Reviewed by Airport Advisory Board)

**Motion to postpone for two weeks on, Councilmember Mitchell's motion.**

**No second to motion.**

**Motion to approve on, Mayor Pro Tem Garcia's motion, Mayor Todd's second 4-1-1, Councilmember Mitchell voting "NO", Councilmember Shea abstaining, Councilmember Nofziger absent.**

28. Approve a construction contract to PELZEL/PHELPS, (DBE/FH), Austin, Texas, for the construction of the West Runway System project for the Austin-Bergstrom International Airport, in the amount of \$10,982,044 plus a contingency fund of \$1,098,204 for change orders. (Funding was included in the 1995-96 Approved Capital budget of the Aviation Department.) Low bid of three (3). DBE Participation: 51%. (Reviewed by Airport Advisory Board)

**Approved on, Mayor Pro Tem Garcia's motion, Councilmember Reynolds' second, 5-0 vote, Councilmember Shea off the dais, Councilmember Nofziger absent.**

29. Approve renegotiation and execution of Amendment #1 to a two (2) year contract with DRZ JOINT VENTURE, (DBE/FB/MH), Austin, Texas, to provide recruiting and outreach services to Disadvantaged Business Enterprises (DBEs) who may provide services related to the construction of the new Austin-Bergstrom International Airport, in an amount not to exceed \$689,166 with two (2) one (1) year extension options in amounts not to exceed \$240,998 and \$201,815, for a total amount

not to exceed \$1,131,979. (Funding in the amount of \$255,725 was included in the 1995-96 approved Capital budget of the Aviation Department.) DBE Participation: 100%.

**Approve**

30. Approve adopting official intent of the City relating to the Austin CargoPort L.L.C., project in order to qualify expenditures for tax exempt financing. (No fiscal impact.)

**Approve**

**Items 29 and 30 approved on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Nofziger absent.**

31. Authorize the creation of the ABIA Development Corporation as an instrumentality of the City and approving the Articles of Incorporation and Bylaws for the Corporation. (No fiscal impact.)

**Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0-1 vote, Councilmember Shea abstaining, Councilmember Nofziger absent.**

32. Authorize assistance in the development of the Vision Village Project and implementation of the plan. (No fiscal impact.)

**Approved on, Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Nofziger absent.**

33. Approve negotiation and execution of a twelve (12) month contract with Businesses Invest in Growth Corporation (BIG) to provide training and technical assistance to small, women and minority owned businesses, in an amount not to exceed \$160,000 with the option to extend for one (1) twelve (12) month period in an amount not to exceed \$160,000, for a total amount not to exceed \$320,000. (Funding is available in the Special Revenue Fund of the Neighborhood Housing and Conservation Office 1995-96 Community Development Block Grant 21st year.) [Recommended by Housing Subcommittee]

**Approved**

34. Approve a construction contract award to RM MECHANICAL, INC., Austin, Texas, for revisions to the Air Conditioning (HVAC) System at the Municipal Annex building, in the amount of \$180,999. (Funding was included in the 1995-96 Capital budget of the Finance and Administrative Services Department.) Low bid of two (2). 3.44% MBE, 0% WBE Subcontractor participation.

**Approved**

35. Approve execution of twelve (12) month supply agreements with SOUTHERN SAFETY SUPPLY, INC., Austin, Texas, SUN BELT MEDICAL SUPPLY, INC., Fort Lauderdale, Florida, MATRIX MEDICAL, INC., Ballentine, South Carolina, and PRO-MED, INC., Austin, Texas, to provide medical supplies for the Emergency Medical Services Department (EMS) and Austin Fire Department (AFD), in amounts not to exceed \$126,063.90, \$82,609.00, \$50,613.50, and \$37,552.34 respectively; with two (2) twelve (12) month extension options in amounts not to exceed \$126,063.90, \$82,609.00, \$50,613.50, and \$37,552.34 per extension for a total amount not to exceed \$378,191.70, \$247,827.00, \$151,840.50, and \$112,657.02 respectively. (Funding in the amount of \$247,365.62 is available in the 1995-96 operating budgets of the Austin EMS Department (\$228,365.62) and Austin Fire Department (\$19,000). Funding for the remaining contract period and the extension options is contingent upon available funding in future budgets.) Low bids of fifteen (15). No M/WBE

Subcontracting opportunities were identified.

**Approved**

36. Approve execution of a twelve (12) month supply agreement with P & T PRODUCTS, INC., Port Clinton, Ohio, for the purchase of hot applied pavement crack sealant for the Public Works and Transportation Department, in an amount not to exceed \$71,400 with two (2) twelve (12) month extension options in an amount not to exceed \$71,400 per extension, for a total amount not to exceed \$214,200. [Funding in the amount of \$59,500 is available in the 1995-96 operating budget. Funding for the remaining two (2) months of the original contract and the extension options is contingent upon available funding in future budgets.] Low bid of three (3). No M/WBE Subcontracting opportunities were identified. **Approved**

37. Approve execution of a twelve (12) month agreement with HULL SUPPLY COMPANY, INC., Austin, Texas, for the purchase of building glass, installation and repair service for City owned facilities, in an amount not to exceed \$39,387.50 with two (2) twelve (12) month extension options in an amount not to exceed \$39,387.50 per extension, for a total amount not to exceed \$118,162.50. [Funding in the amount of \$32,822.92 is available in the 1995-96 operating budget of the Finance and Administrative Services Department. Funding for the remaining two (2) months of original contract and the extension options is contingent upon available funding in future budgets.] Low bid of two (2). No M/WBE Subcontracting opportunities were identified.

**Approved**

38. Approve execution of two (2) twelve (12) month supply agreements for janitorial supplies for use by all City departments with GULF COAST PAPER COMPANY, INC., Austin, Texas, in an amount not to exceed \$54,520.44 and T.A. SUPPLY, Leander, Texas, in an amount not to exceed \$37,919.40 with the option to extend each contract for two (2) additional twelve (12) month extension options in an amount not to exceed \$54,520.44 and \$37,919.40 respectively, for a total amount not to exceed \$163,561.32 and \$113,758.20 respectively. [Funding in the amount of \$77,033.20 is available in the 1995-96 operating budget of the user departments. Funding for the remaining two (2) months of the original contract and the extension options is contingent upon available funding in future budgets.] Low bid of eight (8). No M/WBE Subcontracting opportunities were identified.

**Approved**

39. Approve execution of three (3) twelve (12) month supply agreements with POLLOCK PAPER DISTRIBUTORS, Austin, Texas, in an estimated amount of \$191,091.94; GULF COAST PAPER COMPANY, Austin, Texas, in an estimated amount of \$80,115.73; and PHILLIPS DISTRIBUTION, INC., San Antonio, Texas, in an estimated amount of \$67,197.55 with the option to extend each contract for two (2) additional twelve (12) month extension options in estimated amounts of \$191,091.94, \$80,115.73 and \$67,197.55 respectively, for a total estimated amount of \$573,275.82, \$240,347.19, and \$201,592.65 respectively for paper products (paper towels, napkins, wipes) for use by all City departments. (Funding in the amount of \$282,004.40 is available in the 1995-96 operating budget of the user departments. Funding for the remaining two (2) months and the extension options is contingent upon available funding in future budgets.) Low bids of six (6). No M/WBE Subcontracting opportunities were identified.

**Approved**

40. Authorize the filing of eminent domain proceedings to acquire a lateral support slope easement of

seven (7.00) feet in width containing 1,246 square feet of land out of Lot 1, Block A, out of Park Place I, a subdivision in Travis County, Texas, owned by Olavie Hall for the Loyola Road Improvement Project. (Appraised value is \$1,065.00.)

**Approved**

41. Set a public hearing for an ordinance granting a charter bus franchise to Admiral Coach Lines, Inc., and a proposed rate of fare. (5% of gross revenue for the first year, 10% each additional year.) (Suggested date and time: December 7, 1995 at 5:00 P.M.) [Recommended by Urban Transportation Commission]

**Approved**

42. Set a public hearing to consider amending the Land Development Code Sections 13-1-661 and 13-1-667 which will clarify the approval process for Planning Commission site plans. (To be reviewed by Planning Commission December 5, 1995) [Suggested date and time: December 14, 1995 at 4:30 p.m.]

**Approved**

43. Set a public hearing and to consider amending to the Land Development Code permitting small plant nurseries on sites of 22,500 square feet by conditional use in "LR" and "GR" use districts. (Recommended by Planning Commission) (Suggested date and time: December 14, 1995 at 4:45 p.m.)

**Approved**

44. Set a public hearing on a proposed amendment to the City's 1995 Community Development Program to consider revised Consolidated Plan reprogramming \$1,250,000 from the 20th Year Community Development Block Grant (CDBG) Commercial Management Program (HIP) multifamily assistance program; and direct the City Manager to notify the community of the proposed amendment as provided for in the City's Citizen Participation Plan. (Suggested date and time: December 14, 1995 at 5:00 p.m.)

**Approved**

Items 33 through 44 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Nofziger absent.

#### ITEMS FROM COUNCIL

45. Approve co-sponsorship of the "Children Giving to Children Parade" to be held on Saturday, December 2, 1995. [Fiscal impact is \$1,593.] (Councilmembers Ronney Reynolds and Eric Mitchell)  
**Motion to approve on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 3-0-3 vote, Mayor Todd, Mayor Pro Tem Garcia and Councilmember Shea abstaining, Councilmember Nofziger absent.**

46. Set a public hearing on an alcohol container ban for the following area: bounded on the west by the east frontage road of I.H. 35, Waller Street on the east, 11th Street on the north, and E. Cesar Chavez on the south. (Suggested date and time: January 4, 1996 at 5:30 p.m.) (Mayor Pro Tem Gus Garcia)

**Pulled from agenda**



47. Adopt an amendment to the Austin Metropolitan Area Transportation Plan by adding East Fifth Street, east of I.H. 35. (Recommended by the ATS Policy Advisory Committee) (Mayor Pro Tem Gus Garcia)  
**Postponed indefinitely**
48. Authorize execution of an amendment to four vending license agreements between the City of Austin and John Johnson to permit a one-time only assignment on such terms and conditions as the City Manager or his designee shall deem necessary, appropriate or advisable. (Councilmember Eric Mitchell)  
**Motion to deny on, Councilmember Reynolds' motion, Councilmember Shea's second, 5-1 vote, Councilmember Mitchell voting "NO", Councilmember Nofziger absent.**
49. Approve a resolution to formally recognize City employees. (Councilmember Ronney Reynolds and Councilmember Eric Mitchell)  
**Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Nofziger absent.**
50. Amend section 10-9-2 of the Austin City Code, as amended, to require that dealers of firearms at events in City facilities be licensed. (Mayor Bruce Todd and Mayor Pro Tem Gus Garcia)  
**Ordinance 951130-K approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0-1 vote, Councilmember Mitchell abstaining, Councilmember Nofziger absent.**

#### **4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES**

51. C14-95-0044 - JONES 183 LIMITED PARTNERSHIP (G. Harvey Jones), by Strasburger & Price (David B. Armbrust), 13978 N. U.S. Hwy. 183. From DR to CS. Planning Commission Recommendation: To Grant CS, Commercial Services zoning as amended, subject dedication of right-of-way from the existing centerline of U.S. Hwy. 183.  
**Approve first reading only**
52. C14-95-0125 - MICHAEL P. MULLER, 5801 Travis Cook Road. From LO to RR. Planning Commission Recommendation: To Grant RR, Rural Residence, zoning subject to the dedication of 35 feet of right of way from the existing centerline of Travis Cook Road.  
**Ordinance No. 951130-N approved**
53. C14-95-0126 - HENNA CHEVROLET (Louis Henna, Jr.), by Tharldson Development (Stacy Anderson), 602-608 Delmar Avenue. From MF-3 to LO. Planning Commission Recommendation: To Grant LO-CO, Limited Office-Conditional Overlay, with the provisions of the overlay as follows: (1) prohibit access to Delmar Avenue; and (2) limit development to generate less than 2,000 vehicle trips per day.  
**Ordinance No. 951130-O approved**
54. C14-95-0127 - LARRY CALAME, by Embree Group, Inc. (Guana Childs), 5432 South IH-35 SB. From GO to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay and RR, Rural Residence for that area within the 100-year

floodplain. The provision of the overlay would limit development to that which will generate less than 2,000 vehicle trips per day. **Approved first reading only**

55. C14-95-0130 - CALDWELL CO./RUSSELL SPORTS (George Liebes), 4112 Marathon Boulevard. From SF-3 to LO. Planning Commission Recommendation: To Grant LO-CO, Limited Office-Conditional Overlay, with the provision of the overlay to prohibit Medical Office use.  
**Ordinance No. 951130-P approved**
56. C14-95-0132 - GORDON DICKEY, by H. W. Curington, 13511-13513 Bullick Hollow Road. From DR to SF-3. Planning Commission Recommendation: To Grant SF-1, Single Family Residence (large lot), zoning.  
**Ordinance No. 951130-Q approved**
57. C14-95-0135 - HOWARD L. BURRIS, JR., by Lockwood Engineers (Fred Lockwood), Approximately 1470 feet North of the intersection of Jester Boulevard and F.M. 2222. From DR to SF-1. Planning Commission Recommendation: To Grant SF-1, Single Family Residence (large lot), zoning as requested.  
**Ordinance No. 951130-R approved**
58. C14-94-0172 - AUSTIN DIAGNOSTIC MEDICAL CENTER (Jon P. Sligh) by Bury & Pittman (Greg Strmiska, P.E.) 2218 to 2605 Park Bend Drive, as legally describe as a 14.539 acre tract, more or less, out of the James Rogers Survey No. 19, Abstract 659, Travis County, Texas. Restrictive Covenant Termination.  
**Postponed indefinitely**

TO BE HEARD BY PLANNING COMMISSION 11-28-95, RECOMMENDATION TO FOLLOW

59. C14-95-0154 - ANN L. BURATTI, by Richard Buratti Co. (Richard Buratti), 1510 San Antonio Street. From GO-MU to DMU. Planning Commission Recommendation: To grant DMU-CO, Downtown Mixed Use combining district-conditional overlay, with the provisions of the overlay as follows: (1) limit height to 60 feet; (2) limit to GO uses; and (3) limit to one residential unit for the tract, not to exceed 50% of office use.  
**Approved DMU-CO, downtown mixed use combining district zoning subject to: 1) limit height to 60', 2) limit to GO, general office uses, 3) limit density to one unit (1 per 0.135 acres per unit); first reading only.**
60. C14-95-0113 - L.J. REAL ESTATE SERVICES (H. Drake Leddy), by Ray Wilkerson Co., Inc. (Jim Spence)/Larson-Burns (Brad Burns), North IH-35 Service Road NB and East Martin Luther King Jr. Blvd. From SF-3, CS, CS-1 & MF-3 to CH. Planning Commission Recommendation: To Grant CH-CO, Commercial Highway-Conditional Overlay for Tracts 1 and 2, subject to the conditions.  
**Approved first reading only, approving CH-CO, commercial highway-conditional overlay for tracts 1 & 2; subject to the conditions stated in the transportation memo dated November 9, 1995, the residential site development regulations stated in sec. 13-2-715(3) of the LDC, and prohibiting the following uses: Agricultural sales & services, automotive rentals, automotive repair services, automotive sales, automotive washing (all types), campground, commercial blood plasma center, commercial off-street parking, construction sales & services, convenience storage, drop-off recycling collection facility, equipment repair services, kennels, liquor sales, off-site accessory parking,**

outdoor entertainment (conditional, pawn shop, vehicle storage, limited warehousing & distribution. Furthermore, tract 1 will also be subject to the following conditions: 1) the maximum height, building coverage, and floor to area ratio, permitted in the GR, community commercial zoning district; and 2) a 5 foot vegetative buffer adjacent to the E. 16th St. ROW; the emergency access to E. 16th St. would be the only development permitted within the vegetative buffer; and subject also to the prohibition of additional uses agreed upon by the applicant and the neighborhood: cocktail lounge, communication services, electronic prototype assembly, equipment sales, exterminating services, funeral services, general retail sales (convenience), laundry services, monument retail sales, pet services, restaurant (drive-in, fast food), service station, custom manufacturing, hospital services (general), local utility services, maintenance & service facilities, safety services, and transportation terminal.

61. C14-95-0155 - JANE MALER, 2706 South 1st Street. From LO to GO. Planning Commission Recommendation: To Grant GO, General Office, zoning as requested.  
Ordinance No. 951130-S approved with GO-general office zoning.
62. C14-95-0162 - DON ROBINSON MGMT. CORP. (Don Robinson), by Amelia Lopez-Phelps Consulting (Amelia Lopez-Phelps), 3623 and 3627 Manchaca Road. From LO to LO-MU. Planning Commission Recommendation: To Grant LO-MU, Limited Office Mixed Use Combining District, zoning as requested.  
Ordinance No. 951130-T approved with LO-MU, limited office-mixed use zoning.

Items 51 through 62 approved on Councilmember Reynolds' motion, Councilmember Mitchell's second, 6-0 vote, Councilmember Nofziger absent.

#### EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held on the morning of this date.

Executive session held at 2:35 p.m. to 4:15 p.m. on item 28.

Executive session held at 5:10 p.m. to 6:00 p.m. on item 65.

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation and personnel matters as specifically listed on this agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

#### Real Estate Acquisition - Section 551.072

63. Discuss fee simple acquisition of real property and improvements for the Austin-Bergstrom International Airport.

#### Staff Briefing - Section 551.075

64. Staff briefing on implementation of SB 863. (City Council deliberation is not permitted under Section

551.075.

Pending/ Contemplated Litigation - Section 551.071

65. Discuss Monghan et al v. Maple Run at Austin MUD and City of Austin, 53rd District Court, Travis County, CA 95-06139

Personnel Matters - Section 551.075

66. Discuss personnel evaluations of City Council appointees: City Manager, City Clerk, Municipal Court Clerk, City Auditor and Municipal Court Judges.

ACTION ON THE FOLLOWING

67. Authorize fee simple acquisition of real property and improvements located at 5304 FM 973 South, Del Valle, Texas, for the Austin-Bergstrom International Airport.  
Approved in the amount of \$109,000 and authorize an estimated \$147,787 in relocation benefits for the owners, on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Nofziger absent.

ADDENDUM

68. Amend Section 10-1-19, Glass Containers, and Chapter 8-3, alcohol Consumption, of the City Code, by adding a designated area East of IH-35 to include an area bounded by E. 13th and 14th streets to the North; Chestnut on the East; Rosewood Ave. and East 10th on the south; and IH-35 on the West. (Councilmember Eric Mitchell and Councilmember Ronney Reynolds).  
Ordinance No. 951130-L approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Nofziger absent.

EXECUTIVE SESSION (No Public Discussion on These Items)

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation and personnel matters as specifically listed on this agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Advice from Legal Counsel - Section 551.071

69. Discuss contemplated litigation concerning Time Warner Communication's application before the Public Utility Commission of Texas to provide telephone service in the City of Austin.

NOTE: The above items will be considered under its respective category, but follows the last number on the Austin City Council Agenda for November 30, 1995.

ADJOURNED at 6:00 p.m. on, Councilmember Goodman's motion, Mayor

Pro Tem Garcia's second, 6-0 vote, Councilmember Nofziger absent.

Minutes for Regular Called Meeting of November 16, 1995 postponed. Minutes for Special Called Meeting of November 15, 1995, Worksession of November 29, 1995 and Regular Called Meeting of November 30, 1995, approved on this the 14<sup>th</sup> day of December, 1995, on, Mayor Pro Tem Garcia's motion, Councilmember Reynolds' second, 6-0 vote, Councilmember Shea temporarily absent.